

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

DAULTYN JAMES COMPARATO,

Plaintiff,

vs.

SEAN SMITH, *et al.*,

Defendants.

Case No. 4:21-cv-448-MTS

MEMORANDUM AND ORDER

This matter is before the Court on *pro se* Plaintiff's Motion for Extension of Time to File a motion for summary judgment, Doc. [57]. Currently, the deadline to file motions for summary judgment in this action is June 23, 2023. Doc. [56] ¶ 7. In his motion for extension, Plaintiff states he is in Administrative Segregation and they are refusing to provide him "legal material from [his] property" and "legal books," which has impeded him from timely filing a summary judgment motion. *See* Doc. [57]. Given this situation, the Court will grant Plaintiff an extension of sixty (60) days to file his motion(s) for summary judgment.

The Court notes the extension here relates only to summary judgment motions filed by Plaintiff, and not to motions filed by Defendants. For any motions for summary judgment filed by Defendants, the deadlines from the First Amended Case Management Order, *see* Doc. [56] ¶ 7,¹ apply.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Extension of Time, Doc. [57], is **GRANTED**. Plaintiff must file any motions for summary judgment by **August 21, 2023**, with Defendants' Opposition briefs filed by **September 20, 2023**, and any reply brief by Plaintiff (optional) to be filed by **October 20, 2023**.

Dated this 22nd day of June, 2023


MATTHEW T. SCHELP
UNITED STATES DISTRICT JUDGE

¹ "Any motion for summary judgment must be filed no later than **June 23, 2023**. Opposition briefs must be filed no later than **July 24, 2023**, and any reply brief may be filed no later than **August 21, 2023**. Failure to timely file a motion for summary judgment will waive a party's right to do so before trial." Doc. [56] ¶ 7.